

**THE HONOURABLE SRI JUSTICE
V.ESWARAIAH**

W.P. No. 25640 of 2007

Date:03-12-2007

Between:

P.Srinivas and two others

...Petitioners

AND

The District Collector, Ranga Reddy and three others

Respondents

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ORDER:

The petitioners seek a writ of mandamus declaring the action of the 3rd respondent in high handedly interfering with their possession and enjoyment over the property i.e. land admeasuring Ac.01.09 guntas in Sy.No.284/B and Ac.0.14 guntas in Sy.No.285/A in all admeasuring Ac.1.23 guntas situated at Bachupally village and Gram Panchayat, Qutbullapur mandal, Ranga Reddy District by preventing the construction of the compound wall and two rooms by them in the said property, as illegal and arbitrary and consequently direct the 3rd respondent not to interfere with the possession and enjoyment of the property or to demolish or dispossess the petitioners from the said property.

It is the case of the petitioners that they have jointly purchased an extent of land Ac.01.09 guntas in Sy.No.284/B and Ac.0.14 guntas in Sy.No.285/A in all admeasuring Ac.1.23 guntas situated at Bachupally village and Gram Panchayat, Qutbullapur mandal, Ranga Reddy District from its previous owners vide registered sale deed, dated 21.11.2005 and they were issued pattadar pass books and title deeds. While so, it is stated that the 3rd respondent attempted to interfere with the peaceful possession and enjoyment of the petitioners' land and in this regard the petitioners have also lodged a complaint/protest petition before the Collector and the Joint Collector on 20.11.2007. It is stated that the petitioners have also obtained permission from the Gram Panchayat, Bachupally in permit No.GP/BP2/07, dated 04.08.2007 for construction of compound wall and two rooms in the said land. But, the respondents obstructed the

petitioners from proceeding with the construction.

The learned Government Pleader appearing for the respondents submits that there is no dispute with regard to right, title and ownership of the petitioners over the said land and the respondents never prevented them either for construction of compound wall and two rooms or in respect of any portion of the said land. But, on the other hand, it is stated that under the guise of the sale deeds and pattadar pass books, the petitioners are trying to encroach upon the additional land of the government, which is ceiling surplus land in the said survey numbers.

The learned counsel appearing for the petitioners submits that they have not encroached any other land in the said survey numbers.

Having regard to the facts of the case, without expressing any opinion with regard to the contentions of both parties, the writ petition is disposed of directing the respondents not to interfere with the peaceful possession and enjoyment of the petitioners over the property admeasuring Ac.1.23 guntas situated at Bachupally village and Gram Panchayat, Qutbullapur mandal, Ranga Reddy District and at the same time, it is open for the respondents to prevent the petitioners and others to occupy any portion of the government land in the said survey numbers. There shall be no order as to costs.

V.ESWARAIAH, J.

Date:03.12.2007

Note:

Furnish C.C. by 04.12.2007.

B/O

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